

# CLARKE COUNTY, IOWA, CONSERVATION BOARD

## RULES & REGULATIONS

**I. SCOPE:** By the authority granted to Clarke County Conservation Board by the laws of the State of Iowa Chapter 350.5 of the Code of Iowa, the following rules and regulations are deemed by said Board to be necessary for the protection, regulation and control of all areas under the jurisdiction and management of said Board. The rules and regulations governing the use of park and recreation areas are intended to protect the visitor and the area itself from abuse and misuse. In addition to the rules and regulations adopted by the Clarke County Conservation Board, all state laws apply to conduct in county areas. Chapters 461A.35 through 461A.57 of the Code of Iowa Public Lands and Waters, apply to county park and recreation areas unless modified by the Conservation Board. The traffic laws of the State of Iowa apply to County Parks and recreation areas in the same manner as they apply to state roadways. Other chapters of the Code of Iowa concerning alcoholic beverages and destruction of public property apply in all county park and recreation areas.

**II. STATE STATUTES:** The following portions of the State Code of Public Lands and Waters apply to Clarke County parks and recreation areas;

### 461A.35 PROHIBITED DESTRUCTIVE ACTS

It shall be unlawful for any person to use, enjoy the privileges of, destroy, injure or deface plant life, trees, buildings, or other natural or material property, or to construct or operate for private or commercial purpose any structure, or to remove any plant life, trees, building, sand, gravel, ice, earth, stone, wood, or other natural material, or to private vehicles, with the boundaries of any state park, preserve, or stream or any other lands or waters under the jurisdiction of the Commission for any purpose whatsoever, except upon the terms, conditions, limitations and restrictions as set forth by the commission.

### 461A.36 SPEED LIMIT

The maximum speed limit of all vehicles on state park and preserve drives, roads and highways shall be thirty-five miles per hour. All driving shall be confined to designated roadways. Whenever the Commission shall determine that the speed limit hereinbefore set forth is greater than is reasonable or safe under the conditions found to exist at any place of congestion or upon any part of the park roads, drives or highways, said Commission shall determine and declare a reasonable and safe speed limit therat which shall be effective when appropriate signs giving notice thereof are erected at such places of congestion or other parts of the park roads, drives or highways.

### 461A.37 EXCESSIVE LOADS

Excessively loaded vehicles shall not operate over state park or preserve drives, roads or highways. The determination as to whether the load is excessive will be made by the director or the director's representative and will depend upon the load and the road conditions.

### 461A.38 PARKING

All vehicles shall be parked in designated parking areas, and no vehicle shall be left unattended on any state park or preserve drive, road or highway, except in the case of an emergency.

### 461A.39 HITCHING TO TREES

No horse or other animal shall be hitched or tied to any tree or shrub, in such a manner as to result in injury to state property.

### 461A.40 FIRES

No fires shall be built, except in a place provided thereof, and such fire shall be extinguished when the site is vacated unless it is immediately used by some other party.

### 461A.41 REMOVING PLANTS, FLOWERS OR FRUIT

No person shall, in any manner, remove, destroy, injure or deface any tree, shrub, plant, or flower, or the fruit thereof, or disturb or injure any structure or natural attraction, except that upon written permission of the commission certain specimens may be removed for scientific purposes.

This section shall not apply to activities of the commission or its officers, or employees when caring for and managing county-owned land and waters under the jurisdiction of the commission. This section shall not apply to the gathering or removal of any tree, shrub, plant, flower, fruits, structures or natural attractions under terms, conditions, limitations and restrictions adopted by the commission as rules under chapter 17A. For exceptions to 461A.41, see section 4 of the County park rules and regulations.

### 461A.42 USE OF FIREARMS, EXPLOSIVES, WEAPONS, & FIREWORKS PROHIBITED – EXCEPTIONS

The use by the public of firearms, explosives, and weapons of all kinds by a person is prohibited in all state parks and preserves except: preserves or parts of preserves designated as hunting areas by the state advisory board on preserves at the request of the commission. However, a person may use a bow and arrow with an attached bow fishing reel and ninety-pound minimum line attached to the arrow to take rough fish as provided by rule of the commission. For exceptions to 461A.42 see section 5 of the county park rules and regulations.

### 461A.43 LITTERED GROUNDS

No person shall place any waste, refuse, litter or foreign substance in any area or receptacle except those provided for that purpose.

### 461A.44 PROHIBITED AREAS

No person shall enter upon portions of any state park or preserve in disregard of official signs forbidding same, except by permission of the director or the director's representative.

### 461A.45 ANIMALS ON LEASH

No privately owned animal shall be allowed to run at large in any state park or preserve or upon lands or in waters owned by or under the jurisdiction of the commission except by permission of the commission. Every such animal shall be deemed as running at large unless the owner carries such animal or leads it by a leash or chain not exceeding six feet in length, or keeps it confined in or attached to a vehicle. For

exceptions to 461A.45 see section 8 of the county park rules and regulations.

### 461A.46 CLOSING TIME

Except by arrangement or permission granted by the director or the director's authorized representative, all persons shall vacate state parks and preserves before 10:30 p.m. Areas may be closed at an earlier or later hour, of which notice shall be given by proper signs or instructions. The provisions of this section shall not apply to authorized camping in areas provided for that purpose.

### 461A.47 CAMPING

The commission is hereby authorized to fix fees for camping and other special privileges which shall be in such amounts as may be determined by the commission upon a basis of the cost of providing and reasonable value of such privileges. For exceptions to 461A.47 see section 10 of the county park rules and regulations.

### 461A.48 CAMPING AREAS

No person shall camp in any portion of a state park or preserve except in portions prescribed or designated by the commission. For exceptions to 461A.48 see section 11 of the county park rules and regulations.

### 461A.49 TIME LIMIT

No camping unit shall be permitted to camp for a period longer than that designated by the commission for the specific state park or preserve, and in no event longer than for a period of two weeks

### 461A.50 REGISTERING – VACATING

Any person who camps in any state park or preserve shall register the person's name and address with the park custodian and advise the custodian when the camp is vacated.

### 461A.51 CAMPING REFUSED

Custodians are given authority to refuse camping privileges and to rescind any and all camping permits for cause.

### 461A.57 PENALTIES

Any person violating any of the provisions of sections 461A.35 to 461A.51 is guilty of a simple misdemeanor.

### 123.46 CONSUMPTION IN PUBLIC PLACES

A person shall not use or consume alcoholic liquor, wine, or beer upon the public streets or highways. A person shall not use or consume alcoholic liquor in any public place except premises covered by a liquor control license. For exceptions to 123.46 see section 19 of the county park rules and regulations.

### 350.5 REGULATIONS – PENALTY – OFFICERS

The county conservation board may make, alter, amend or repeal regulations for the protection, regulation, and control of all museums, parks, preserves, parkways, playgrounds, recreation centers, and other property under its control. The regulations shall not be contrary to, or inconsistent with, the laws of this state. The regulations shall not take effect until ten days after their adoption by the board and after their publication as provided in section 331.305 and after a copy of the regulations has been posted near each gate or principal entrance to the public ground to which they apply. After the publication and posting, a person violating a provision of the regulations which are then in effect is guilty of a simple misdemeanor. The board may designate the director and those employees as the director may designate as police officers who shall have all the powers conferred by law on police officers, peace officers, or sheriffs in the enforcement of the laws of this state and the apprehension of violators upon all property under its control within and without the county. The board may grant the director and those employees of the board designated as police officers the authority to enforce the provisions of chapters 321G, 321I, 461A, 462A, 481A, and 483A on land not under the control of the board within the county.

### 350.10 STATUTES APPLICABLE

Sections 461A.35 through 461A.57 of the Code of Iowa apply to all lands and waters under the control of a county conservation board, in the same manner as if the lands and waters were state parks, lands, or waters. As used in sections 461A.35 through 461A.57 of the Code of Iowa, "natural resource commission" includes a county conservation board, and "director" includes a county conservation board or its director, with respect to lands or waters under the control of a county conservation board. However, sections 461A.35 through 461A.57 of the Code of Iowa may be modified or superseded by rules adopted as provided in section 350.5 of the Iowa Code.

### **III. Clarke County Conservation Board:**

By the authority granted to the Clarke County Conservation Board through Chapter 350.5 of the Code of Iowa, the following rules and regulations are hereby adopted by said Board:

### SECTION 1. DEFINITIONS

The following terms, as used in these regulations, shall, for the purpose of these regulations, have the meanings assigned hereto, unless a different meaning is clearly indicated.

1. "Board" shall mean the Clarke County Conservation Board.
2. "Director" shall mean the Executive Director of the Clarke County Conservation Board.
3. "Area" means all or any part of the land and/or water owned, leased, managed, or by other means under control of the Board.
4. "Authorized Representative" shall include Park Rangers and other persons designated by the Director.
5. "Special Use Permit" shall mean any use permit issued by the Director pursuant to authority delegated by the Board.
6. "Camp" or "Camping" shall mean any use of a shelter such as a tent, trailer, or motor vehicle specifically designated for such use as temporary residence at a campground.
7. "Camping Area" or "Campground" shall mean any area designated by the Board for camping.
8. "Camping Day" shall mean a period or any portion of a period from 3:00 p.m. of one day to the established check-out time for the following day.

9. "Camping Unit" means either a single tent, pickup camper, motor home or converted bus, recreation trailer, or motor vehicle specifically designed for camping use. In addition, a small tent may be placed on a site with the primary unit so long as the persons occupying the tent are under eighteen years of age and the responsibility of the primary unit.

10. "Camping Party" shall mean the number of occupants allowed based on the capacity of the camping unit allowed on one campsite.

11. "Commercial Activity" shall mean any activity carried out by a private party or organization for the purpose of economic gain or profit.

12. "Group Campground" shall mean any campground designated by the Board which allows more than one camping unit per site.

13. "Family" shall mean one set of parents and their minor dependent children.

14. "Youth Group" shall mean a group consisting of minor members of an established chartered organization with by-laws and under the leadership of at least one adult for each eight minors in the group.

15. "Capacity" shall mean the maximum number of people or units that the Board shall determine may occupy any given area.

16. "Official Signs" shall mean signs provided for in the Iowa D.O.T. Manual on Uniform Traffic Control Devices for Iowa Streets and Highways and other signs designated and erected by the Board or an authorized representative.

17. "Noise" shall mean any loud, confused or senseless shouting or outcry, a sound lacking in agreeable musical quality or which is noticeably unpleasant or disturbs the peace.

18. "Special Event" shall mean any activity which will attract a large number of participants and/or spectators or other activity which the area is not designed to accommodate, could potentially impact other park users or have safety concerns.

### SECTION 2. SCOPE

The provisions of these regulations apply to all lands and waters owned or managed by the Clarke County Conservation Board.

### SECTION 3. FEES & CHARGES

The Board may establish fees or deposits for the use of facilities, privileges and conveniences within all areas under the Boards' management or jurisdiction. All camping fees, shelter fees, cabin fees, lodge fees and other special use permits or deposits shall be paid in full by the responsible party prior to use of the area.

### SECTION 4. COLLECTION OF FRUITS, NUTS & NATURAL FEATURES

Chapter 461A.41 of the Code of Iowa is hereby modified under the authority of Chapter 350.10 as follows:

1. It shall be lawful to collect the fruit of all nut and berry producing plants for home use provided the collector does not damage the parent plant.
2. Mushrooms may be collected for home use.
3. Collection of nuts, fruits or mushrooms for any commercial purpose is prohibited.

### SECTION 5. FIREARMS

Chapter 461A.42 of the Code of Iowa is hereby modified under the authority of Chapter 350.10 as follows:

The use of firearms, fireworks, explosives and weapons of all kinds are prohibited in all parks, camping sites, access areas and other areas under the control of the Clarke County Conservation Board, except in the areas hereafter designated by the County Conservation Board as hunting areas or specifically set apart as a firing, archery or trap shoot range. A person with a valid permit may carry their firearm - however, the use of that firearm is prohibited. "Use" is defined as brandishing, displaying, bartering, striking with, firing or attempting to fire the weapon.

### SECTION 6. HUNTING

1. Restrictions – It is unlawful to hunt, pursue, or in any manner molest any birds or wild animals or to use or carry firearms, fireworks, explosives, and weapons of any kind, except as otherwise provided by law, in or on any area not designated as a hunting area, by the Board. 2. Target Shooting – It shall be unlawful to target shoot on any property owned or managed by the Board, except those areas which may be designated by the Board as target shooting areas.

### SECTION 7. BLINDS AND TREE STANDS RESTRICTED

The use or construction of blinds or tree stands is prohibited except as provided herein. No person shall cut or in any way sever or alter in any manner as to damage plant material or any natural feature for the purpose of constructing a blind or tree stand. No person shall drive or otherwise place any nails, spikes, pins or any other metal object into any tree for the purpose of constructing a blind or tree stand or to facilitate access to a blind or tree stand. Portable blinds or tree stands capable of being moved by one person from one location to another and which are capable of being removed daily may be used provided that such devices do not in any way damage any natural feature

### SECTION 8. TRAINING & EXERCISING DOGS

Section 461A.45 of the Code of Iowa is hereby modified under the authority of Section 350.10 of the Code of Iowa as follows: It is lawful to permit dogs to run at large for the purpose of training or exercising them in or on any area designated as a hunting area by the Board, and parts of other areas so designated by the Board. Animals must be accompanied by the trainer or owner. Training or exercising is not permitted between March 15th and July 15th unless a special use permit is issued by the Director.

### SECTION 9. TRAPPING RESTRICTED

It shall be unlawful to trap or attempt to trap any wild animal in or on any area not designated as a hunting area by the Board, except that protection of areas and facilities shall be accomplished as needed by the Director or another authorized representative.

### SECTION 10. CAMPING

Section 461A.47 and 49 of the Code of Iowa is hereby modified under the authority of Section 350.10 of the Code of Iowa as follows:

1. Violation of any state law or any county park rule or regulation by any member of a camping party is cause for revocation of camping privileges and the entire camping party shall be required to leave the area.

2. Campers must have the camping unit that will occupy the site on the campsite before registering. Campers must register within 1 hour of setting up camp, and the registration card must be posted immediately after registration. Non-registered camping units are subject to impoundment and/or disposal.

3. It is unlawful for more than one camping party or camping unit to occupy a campsite. An additional tent may be used for children under eighteen years old. (Group camp areas are exempt)

4. All campers shall maintain quiet and remain in their respective campgrounds between the hours of 10:30 p.m. and 6:00 a.m. (except when engaged in legal bank fishing or with Ranger permission.)

5. No refunds will be issued without Ranger authorization.

6. Check-out time is 2:00 p.m.

7. Beer and Wine in a keg or any other container larger than one gallon shall not be allowed in campgrounds or in parking areas or immediately adjacent to those areas.

8. No ropes, cables, chains or lines can be affixed to trees.

9. No pets shall be left unattended.

10. All non-registered visitors must be out of the park by 10:30 p.m.

11. No wading, swimming pools, or water features are allowed in the campground.

12. Campfires are only permitted in grills or fire rings provided.

13. Must be 18 years of age or older to register. (Photo ID required) Parental consent required for minors camping without a parent or guardian

### SECTION 11. CAMPING AREAS

No person shall camp in any portion of a county park or preserve except in portions prescribed or designated by the Conservation Board, it's Executive Director or duly designated representative. Areas designated as wildlife, hunting & fishing accesses will be restricted to no overnight camping.

### SECTION 12. ANNOYANCES OR DISTURBANCE

It is unlawful to operate or use any radio, stereo, television, drone, musical instrument, electrical generating plant, power or chain saw, or any similar equipment in or on any area in such a manner as to create excessive noise and/or disturb other persons.

### SECTION 13. UNHEALTHY OR UNSANITARY CONDITIONS

It shall be unlawful to allow pets to discharge feces in public use area except areas open to hunting. All feces shall be removed and disposed of in a legal and sanitary manner.

### SECTION 14. RECREATION USE ONLY

It is unlawful for any person to occupy any portion of any area for repairing vehicles, advertising, hawking, soliciting, peddling or any other commercial activity or any other purpose not primarily recreational, except acting under a special use permit from the Board.

### SECTION 15. USE OF HORSES RESTRICTED

It is unlawful to ride, lead, or otherwise allow the entry of a horse or horse drawn conveyance on any road or trail or on any area.

### SECTION 16. ATV'S & SNOWMOBILES RESTRICTED

It shall be unlawful to operate any snowmobile, swamp buggy, all-terrain vehicle or any other land conveyance propelled by a gasoline or electrical engine and run on wheels, tracks, or runners in or on any area except allowed by special use permit.

### SECTION 17. UNATTENDED MOTOR VEHICLES NOT PERMITTED

It shall be unlawful to leave any motor vehicle unattended on any area for more than twenty-four hours, and the vehicle may be removed and stored at the expense of the owner.

### SECTION 18. SWIMMING

It is unlawful to swim or wade in or on any lake, pond or any impounded waters except for designated swimming areas.

### SECTION 19. POSSESSION & CONSUMPTION OF ALCOHOL

1. It is unlawful to possess or consume any alcohol other than wine or beer (no hard liquor) in or on any Board area, except where permitted.
2. No person or group shall bring, use, or have in his/her possession on any area, beer or wine in a keg or any other container larger than one gallon without first obtaining a special use permit from the Board. (Additional fees or deposits may apply).

### SECTION 20. DISORDERLY CONDUCT

No person shall use threatening, abusive, insulting, profane or indecent language, nor be guilty of conduct or display of anything that is abusive, insulting, obscene or guilty of any act that constitutes a breach of peace, in any county park or preserve.

### SECTION 21. SPECIAL EVENTS

The Clarke County Conservation Board has adopted a Special Event Policy, which requires an application process for any special event on board property. Additional insurance, sanitation facilities, and other requirements or fees may apply.

### SECTION 22. EXCEPTIONS

Nothing in these rules and regulations shall prohibit or hinder the Board, or duly authorized agents or any other peace officers from performing their official duties.